

REMARKS

Claims 1, 2, 5-10 and 27-29 are pending in the application. Claim 1 has been amended. Claim 17 has been amended to correct a typographical error. Claim 29 is new. Claims 3-4 and 11-26 have been withdrawn. Applicants submit that no new matter has been added to the application by the Amendment.

Applicants respectfully request that the Amendment After Final be entered in accordance with 37 CFR §116 and MPEP 714.13 since the Amendment places the application in condition for allowance.

Rejection - 35 U.S.C. § 103

The Examiner rejected claims 1, 2, 5-7, 10, 27 and 28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,407,982 (Aoki et al.) in view of U.S. Patent No. 6,590,858 (Inoue), in further view of U.S. Patent No. 5,600,628 (Spector). The Examiner states that Aoki discloses all the elements of claim 1 except a movable shutter and a second functional portion provided on the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion of the disc. The Examiner further states that Inoue discloses a shutter and Spector discloses a second functional portion which cooperates with the first functional portion. Applicants respectfully traverse the rejection with respect to amended claim 1.

Claim 1 has been amended to recite, *inter alia*,

"A disc cartridge for storing a disc that has a first side with a first functional portion and a second side, the disc cartridge comprising:

... a pair of shutters, which are supported to, and movable with respect to, the cartridge body so as to expose or cover at least the head opening;

disc holding portions provided at portions of the pair of shutters for fixing the disc onto the shutters or the cartridge body synchronously with a movement of the shutters when the shutters cover the chucking opening and the head opening; and

a second functional portion, which is provided for the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion of the disc,

wherein the cartridge body is not provided with a third functional portion that produces the audiovisual effect by cooperating with the second functional portion of the disc.

1. Inoue does not teach or suggest disc holding portions as recited in amended claim 1.

As described at Figs. 1 and 2 and pages 23-28 of the Application, in order to secure the disc in the cartridge body, at least one embodiment of the invention uses holding portions 21a, 21b, 22a and 22b provided on the shutters 21, 22 to fix the disc onto the shutters of the body synchronously with a movement of the shutters when the shutters cover the chucking opening of the head opening. In this way, the embodiment of the disc cartridge can prevent the operator from removing the disc and the audiovisual effect is exhibited.

Inoue does not disclose teach or suggest disc holding portions provided at portions of the pair of shutters for fixing the disc onto the shutters or the cartridge body synchronously with a movement of the shutters when the shutters cover the chucking opening and the head opening, as recited by amended claim 1.

2. Spector discloses a third functional portion that cooperates with the second functional portion to provide the same audiovisual effect as obtained from a first functional portion cooperating with the second functional portion.

As described at Fig. 11 and pages 29-43, another embodiment of the invention produces the claimed audiovisual effect by cooperation between a portion of a design on the disc cartridge (second functional portion) and a portion of a design on the disk (first functional portion). The claimed audiovisual effect is obtained only when the disc is inserted into the cartridge and is not obtained from a third functional portion that appears when the disc is removed.

Spector discloses a protective package in which a portion 14 of a design appears on a disk and the remainder of the design is formed on a face panel 18 of a package (col. 4, lines 24-

26). Also, and most important, the portion of the design 14 which is printed on the disc is also printed as portion 14A on the inner surface of the rear cover panel of the package (see Fig. 6 and col. 4, lines 26-19). As stated by Spector, "Hence whether the disc is nested in the well, as shown in Fig. 3 of removed from the well as in Fig. 6, one sees the entire picture of the character" (Col. 4, lines 31-33).

Spector discloses as an important feature of his invention, a third functional portion which replaces the first functional portion when the disc is removed to cooperate with the second functional element to produce the audiovisual effect. Consequently, Spector does not teach or suggest not providing a third functional portion that produces the audiovisual effect by cooperating with the second functional portion, as recited by amended claim 1.

Applicants respectfully submit that the combination of Aoki, Inoue and Spector does not teach, suggest or disclose all the elements of amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the §103 rejection of claim 1.

Also, since claims 2, 5-10, and 27-28 depend from claim 1, claims 2, 5-10, and 27-28 are allowable, at least by their dependency. Accordingly, Applicants respectfully request reconsideration and withdrawal of the §103 rejection of claims 2, 5-10 and 27-28.

New claim 29

New claim 29 depends from claim 1. Consequently claim 29 is allowable, at least by its dependency. Accordingly, Applicants respectfully request allowance of new claim 29.

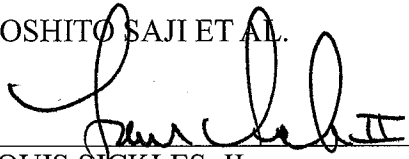
Conclusion

Insofar as the Examiner's objections and rejections to claims 1, 2, 5-7, 10, and 27-29 have been fully addressed, the instant application is in condition for allowance. Withdrawal of the Final Rejection, formal entry of the present "Amendment After Final," and issuance of a Notice of Allowability is therefore earnestly solicited.

Respectfully submitted,

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